

REMARKS

The present communication responds to the rejections set forth in the action mailed May 4, 2006. Applicant petitions and authorizes the debiting of its deposit account 12-0913 to cover any extension fees or other fees required.

Items 1-3 of the Action, Objection to the Specification

Applicant has amended the specification to provide proper language as suggested in the action.

Applicant has added headings to the specification. Applicant believes the headings requested to be placed in the specification provide appropriate information about the Specification. Applicant notes the headers suggested in the MPEP and in the Action. Applicant asserts that the specific heading language is not mandatory and not required in this particular case given that this case emanates from a treaty application and conforms with the treaty requirements.

Item 4 of the Action, Rejection to Claims

Applicant has amended the claims to address the objections raised in the Action.

Items 5-7 of the Action, Claim Rejections -35 USC § 103

The Action indicates that claims 1-4, 6-8 and 11-13 are unpatentable over Kenndy US 3,580,420 in view of Beaudoin US 6,047,250. Applicant disagrees that the disclosures of Kenndy and Beaudoin, considered together, have sufficient teachings to show the recitations set forth in Claim 1, as currently amended, are unpatentable. The references do not teach the use of

electronically readable tags at fluid flow ports associated with the mobile storage container. Neither reference discloses the use of electronic tags at the mobile storage container. Kennedy as noted by the Action, does not disclose the use of readable tags. Beaudoin does disclose the use of readable tags at subsidiary storage tanks 50. Beaudoin, however, does not disclose the use of corresponding electronic tags in connection with the tanker 19. Beaudoin, rather, discloses the use of an elaborate central processing unit 30 which is interfaced with various valves via an elaborate twisted pair data communications network 41. As the driver loads the product, the product type, the amount, and the compartment into which the product is loaded is recorded in the data storage module 36 of CPU 30. When a driver unloads tanker 19 a hand-held unit 20 scans bar codes 52 on the subsidiary storage tanks 50. The unit 20 interfaces with CPU 30 and tells the driver which valve to open. The CPU 30 further advises the driver if a wrong valve is opened. One considering the disclosures of both Kennedy and Beaudoin would thus utilize the elaborate CPU 30 data communication 41 in connection with the Kennedy tanker.

Applicant has amended claim 1 to clarify that its ports at the tanker are uniquely identified by simple electronic tags as opposed to the elaborate CPU communications network taught in Beaudoin. Claim 1 now clarifies that an electronic tag is something that can be read by the control unit without hardwiring the tag to a CPU. Applicant's use of the electronic tags at the tanker side has significant advantages over the CPU apparatus of Beaudoin. First, applicant can readily identify the ports associated with the tanker by use of very inexpensive readable tags. Applicant does not have to have sophisticated CPU's and hardwiring. The elimination of the CPU and hardwiring means that the ports can be tagged to identify a fluid to associate with a tanker port without the need for costly programming, reprogramming and/or installation of a CPU to identify the ports. Accordingly, applicant's use of electronically readable tags at the

tanker portion of the apparatus which interface with electronically readable tags on the subsidiary tanks is patentable over Kennedy in view of Beaudoin. Accordingly the rejections to claims 1-4, 6-8 and 11-13 should be withdrawn.

Claims 5, 7, and 9 are further allowable in that they further define electronically readable tags. In these claims the electronically readable tags cause the control unit to generate a signal based on the arrangement of the tags relative to one another. Even if the electronic apparatus in the tank of Beaudoin were somehow considered to qualify as readable tags, the signal generated to the control unit is not dependant upon the arrangement of the tags in the tanker relative to the tags in the storage tanks. Accordingly these claims are allowable for these additional reasons

The rejection of the remaining claims based on Kennedy as modified by Beaudoin in further view of Walkey U.S. 4,469,149 should also be withdrawn. These claims all depend on allowable claim 1 and are thus allowable for the same reasons as is Claim 1. Walkey is not cited by the action, nor does it disclose electronically readable tags at the tanker side as disclosed by now amended Claim 1.

Conclusion

Applicant has addressed each of the objections and rejections set forth in the Office Action. Each of the pending claims is allowable over the cited references. A Notice of Allowance should now issue.

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Respectfully submitted,



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